IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Bail Appl..No. 7383 of 2006()

CP.99/2006 of J.M.F.C.,MATTANNUR

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PETITIONERS/ACCUSED NOS.1 AND 2

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1. P.K.SHAFEEQUE, S/O. KADER,
   AGED 32 YEARS, DAYA MANZIL, PUNNAD,
   IRITTY.

2. V.RAHEEM, S/O. MAMMOOTTY,
   AGED 23 YEARS, PACHAPPURATH VEEDU,
   IRITTY.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT

STATE OF KERALA, THROUGH THE
SUB INSPECTOR OF POLICE,
IRITTY POLICE STATION, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7383 of 2006

DATED: December 13, 2006

O R D E R

Petitioners were accused Nos. 1 and 2 in C.P. 99/2006 on the file of the Judl. Magistrate of First Class, Mattannur for offences punishable under Sections 143, 147, 148, 451, 436 and 153 read with Sec. 149 I.P.C. seek anticipatory bail.

2. Admittedly, non-bailable warrant of arrest are pending against the petitioners due to their non-appearance before the committal court. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction It is for the petitioners to seek regular bail after surrendering before the concerned Magistrate's Court. Accordingly, if the petitioner surrender before the magistrate court and file an application for regular bail within 10 days from today the same shall be considered and disposed of preferably on the same day on which it is filed after examining the petitioner's grievance that they were not served with summons in the case.

With the above observation this application is dismissed.

V.RAMKUMAR,

JUDGE.

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